

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

**COY MILLER AND BRENDA MILLER
D/B/A BRONZED BUNZ**

PLAINTIFF

V.

CAUSE NO: 1:06CV94

CALIFORNIA TANNING SUPPLY, INC. et al.

DEFENDANTS

**ORDER GRANTING MOTION TO SET ASIDE ORDER AND REQUESTING ENTRY
OF DEFAULT AGAINST DEFENDANT SOLAR SHOWER, LLC**

This cause comes on for consideration on Plaintiffs Coy Miller and Brenda Miller d/b/a Bronzed Bunz's Motion to Set Aside Order of Dismissal Without Prejudice for Failure to Prosecute Defendant Solar Shower, LLC, and Requests Entry of Default be entered against Defendant Solar Shower, LLC. The Court, having reviewed submitted brief, is of the following opinion:

The Plaintiffs properly served the Defendant, Solar Shower, LLC in accordance with Miss. R. Civ. P. Rule 4(c)(5), and timely filed a Motion to Set Aside Order. Therefore, the Court **GRANTS** Plaintiffs' Motion to Set Aside Order dismissing Solar Shower, LLC. Further, the Court opines that Default against Solar Shower, LLC, should have been entered and, therefore, shall be **ENTERED** accordingly.

So **ORDERED**, this the 4th day of March, 2008.

**/s/ Sharion Aycock
U.S. DISTRICT JUDGE**